

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on September 8, 2022, the following order was made and entered.

SGA Filed Sep 09 2022
03:58PM EDT
Transaction ID 68065888

State of West Virginia ex rel.
CVS Pharmacy, Inc.,
CVS Indiana, LLC,
CVS Rx Services, Inc.,
CVS TN Distribution, LLC,
West Virginia CVS Pharmacy, LLC,
Walmart, Inc.,
Walgreens Boots Alliance, Inc.,
Walgreen Co., and
Walgreen Eastern Co., Inc.,
Petitioners

vs) No. 22-635

Honorable Alan D. Moats, Lead Presiding Judge,
Opioid Litigation, Mass Litigation Panel,
Honorable Derek C. Swope, Presiding Judge,
Opioid Litigation, Mass Litigation Panel, and
Patrick Morrissey, Attorney General of West Virginia,
Respondents

ORDER

On August 12, 2022, the petitioners, CVS Pharmacy, et al., by counsel Carte P. Goodwin, Mary Claire Davis, and Alex J. Zurbuch, Frost Brown Todd, LLC; Alexander Macia and Tia Shadrack Kluemper, Spilman Thomas & Battle, PLLC; and Bryant J. Spann and Robert H. Akers, Thomas Combs & Spann, PLLC, filed a petition praying for a writ of prohibition against the respondents, along with a motion for expedited relief.

On August 15, 2022, the respondent, Patrick Morrissey, Attorney General, by Ann L. Haight, Deputy Attorney General; Vaughn T. Sizemore, Deputy Attorney General; and Abby G. Cunningham, Assistant Attorney General, filed a response to the motion for expedited relief. The respondent, by counsel, filed a response to the petition for writ of prohibition on September 2, 2022.

Upon consideration and review, the Court is of the opinion that a rule should not be awarded, and the writ prayed for by the petitioners is refused. Justice Armstead would issue a rule to show cause. The motion for expedited relief is refused as moot.

A True Copy

Attest: /s/Edythe Nash Gaiser
Clerk of Court

